

ASSEMBLY BILL

No. 2454

Introduced by Assembly Member Torlakson

February 19, 2010

An act to add Sections 49429 and 49429.1 to the Education Code, relating to school nurses.

LEGISLATIVE COUNSEL'S DIGEST

AB 2454, as introduced, Torlakson. Education: school nurses.

Existing law requires the governing board of any school district to give diligent care to the health of pupils, and the boards are authorized to employ properly certified persons for the work.

This bill would require every school district with over 500 pupils to employ at least one school nurse, as defined.

Because this bill would require school districts to perform new duties it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

1 (a) The health needs of pupils are currently not being adequately
2 met in California's schools due to the lack of qualified health
3 professionals employed by the school districts who have access
4 to local school campuses.

5 (b) Nurses are uniquely qualified to attend to the primary care
6 of pupils suffering from chronic and acute health conditions.

7 (c) It is the intent of the Legislature in enacting this act to ensure
8 that school districts more adequately address and meet the health
9 care needs of pupils by requiring that school districts employ a
10 sufficient number of qualified nurses to attend to the health needs
11 of pupils.

12 SEC. 2. Section 49429 is added to the Education Code, to read:

13 49429. (a) A school nurse is defined in Section 49426.

14 (b) A registered nurse is defined under Chapter 6 (commencing
15 with Section 2700) of Division 2 of the Business and Professions
16 Code.

17 SEC. 3. Section 49429.1 is added to the Education Code, to
18 read:

19 49429.1. Notwithstanding Section 49400, every school district
20 with 500 or more pupils shall employ at least one school nurse as
21 defined in subdivision (a) of Section 49429.

22 SEC. 4. No reimbursement is required by this act pursuant to
23 Section 6 of Article XIII B of the California Constitution because
24 the only costs that may be incurred by a local agency or school
25 district are the result of a program for which legislative authority
26 was requested by that local agency or school district, within the
27 meaning of Section 17556 of the Government Code and Section
28 6 of Article XIII B of the California Constitution.